

substantial number of small entities. Therefore, EPA provides the following certification under the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act: Pursuant to the provision at 5 U.S.C. 605(b), I hereby certify that this proposed rule will not have a significant economic impact on a substantial number of small entities. It does not impose any new burdens on small entities. This proposed rule, therefore, does not require a regulatory flexibility analysis.

H. National Technology Transfer and Advancement Act of 1995

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Pub. L. 104-113, section 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards. There are no voluntary consensus technical standards directly applicable to metal contaminants in hazardous waste that exhibit the toxicity characteristic for metals. Therefore, EPA did not consider the use of any voluntary standards in this proposal.

I. Submission to Congress and the General Accounting Office

The Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) provides, with limited exceptions, that no rule promulgated on or after March 29, 1996 may take effect until it is submitted to Congress and the Comptroller General along with specified supporting documentation. However, this requirement does not apply to "any rule of particular applicability." * * * 5 U.S.C. 804(3). The proposed rule is of particular applicability, applying only to a particular waste at one facility under particular (and, as noted, exceptional) circumstances. Consequently, the Congressional review provisions of SBREFA are not applicable and this rule, if accepted, can take effect without submittal to Congress.

List of Subjects in 40 CFR Part 268

Environmental protection, Hazardous waste.

Matthew Hale,

Acting Director, Office of Solid Waste.

[FR Doc. 98-28487 Filed 10-22-98; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL-6176-4]

Hazardous Waste Management Program: Final Authorization of State Hazardous Waste Management Program for Louisiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve Louisiana Department of Environment Quality's (LDEQ) Clusters V and VI Hazardous Waste Program under the Resource Conservation and Recovery Act. In the rule section of this **Federal Register** (FR), the EPA is approving the State's request as an immediate final rule without prior proposal because the EPA views this action as noncontroversial and anticipates no adverse comments. A detailed rationale for approving the State's request is set forth in the immediate final rule. If no adverse written comments are received in response to that immediate final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse written comments, a second FR document will be published before the time the immediate final rule takes effect. The second document may withdraw the immediate final rule or identify the issues raised, respond to the comments and affirm that the immediate final rule will take effect as scheduled. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments must be received on or before November 23, 1998.

ADDRESSES: Written comments referring to Docket Number LA98-1 may be mailed to Alima Patterson, Region 6 Authorization Coordinator, Grants and Authorization Section (6PD-G), Multimedia Planning and Permitting Division, at the address listed below. Copies of the materials submitted by LDEQ may be examined during normal business hours at the following locations: EPA Region 6 Library, 12th Floor, Wells Fargo Bank Tower at

Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202-2733, Phone number: (214) 665-6444. Louisiana Department of Environmental Quality, H.B. Garlock Building, 7290 Bluebonnet, Baton Rouge, Louisiana 70810, Phone number (504) 765-0617.

FOR FURTHER INFORMATION CONTACT:

Alima Patterson, (214) 665-8533.

SUPPLEMENTARY INFORMATION: For additional information see the immediate final rule published in the rules section of this **Federal Register**.

Jerry Clifford,

Deputy Regional Administrator, Region 6.

[FR Doc. 98-27705 Filed 10-22-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL-6166-4]

North Carolina; Final Authorization of Revisions to State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to grant final authorization to the hazardous waste program revisions submitted by North Carolina. In the final rules section of this **Federal Register**, EPA is authorizing the State's program revisions as an immediate final rule without prior proposal because EPA views this action as noncontroversial and anticipates no adverse comments. A detailed rationale for the authorization is set forth in the immediate final rule. If no adverse written comments are received, the immediate final rule will become effective and no further activity will occur in relation to this proposal. If EPA receives adverse written comments, EPA will withdraw the immediate final rule before its effective date by publishing a withdrawal in the **Federal Register**. EPA will then respond to public comments in a later final rule based on this proposal. EPA may not provide further opportunity for comment. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments must be received on or before November 23, 1998.

ADDRESSES: Mail written comments to Narindar Kumar, Chief, RCRA Programs Branch, Waste Management Division, U.S. Environmental Protection Agency, The Sam Nunn Atlanta Federal Center,